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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 3299 OF 2003

IN
SUIT NO. 448 OF 1982

Bank of Inkdia .. Plaintiffs.

vs.

M/s. Pallavi Enterprises

& Ors. . . Defendants.

Mr. O.A. Das for plaintiffs.

None for Defendants.

CORAM : S.U.KAMDAR, J.

DATE : 1st March 2006.

P.C.

. The present motion is taken out for restoration of the suit which was dismissed for default on 5.12.2001. There is a delay of two years in taking out the motion and the only ground given is that the earlier advocate did not prosecute the matter diligently. Though there is no sufficient reason to restore the matter however, the learned counsel appearing for the plaintiffs states that at least on the payment of heavy cost the suit should be restored so that the matter can be head on merits

and the plaintiff is a public sector bank. In that light of the request of the learned counsel for the plaintiff I grant the motion in terms of prayer clauses (a) and (b) subject to plaintiff making payment of costs quantified of Rs. 25,000/- to the Maharashtra State Legal Services Authority within a period of two weeks from today failing which motion to stand dismissed.